

Implementing Order



Implementing Order No.: IO 4-113

Title: FEE SCHEDULE FOR MIAMI-DADE CORRECTIONS AND REHABILITATION DEPARTMENT DAILY INMATE SUBSISTENCE AND PROCESSING

Ordered: 9/18/2014

Effective: 10/01/2014

AUTHORITY:

The Miami-Dade County Home Rule Charter, including among others, Sections 1.01 and 2.02A, and Sections 951.033, (2014) and 939.06 (2014), Florida Statutes.

SUPERSEDES:

This Implementing Order amends Implementing Order 4-113, ordered September 18, 2009 and effective October 1, 2009.

POLICY:

This Implementing Order establishes fees for charging inmates in the care, custody and control of the Miami-Dade Corrections and Rehabilitation Department a one-time processing fee and a fair portion of their daily subsistence during incarceration.

APPLICABILITY:

The provisions of this procedure are applicable to all inmates incarcerated in facilities operated by the Miami-Dade Corrections and Rehabilitation Department. Exemptions will be determined by the Department Director to include inmates held for U.S. Marshal (as their sole charge), inmates assigned to the Work Release Program, Boot Camp Program, House Arrest Program, and inmates assigned to the Inmate Worker Program.

FEE SCHEDULE:

The daily subsistence fee charged to all inmates to offset the cost of incarceration is \$2.00. The one-time processing fee charged to all inmates to offset costs of incarceration is \$25.00

PROCEDURE:

The Department Director is authorized to collect fees pursuant to Section 951.033, Florida Statutes, and account for the revenues. The process will involve the following:

- a) The inmate will be advised of a fee schedule and policy during the orientation process and a copy of the fee schedule will be posted in each housing unit as well as made available in the inmate handbook.
- b) The daily subsistence fee will be debited on a daily basis from the inmate's financial account in the facility.
- c) The one-time processing fee will be \$25.00 after the inmate is booked into custody.
- d) If the inmate's financial account in the facility does not contain sufficient funds to cover subsistence costs, the Director may place a civil restitution lien against the inmate's other personal property. A civil restitution lien may continue for a

period of three years and applies to the financial account of any inmate who is re-incarcerated within the county in which the civil restitution lien originated.

- e) When the court orders a lien against an inmate's funds; e.g., for child support, restitution, or court fees, such orders will take precedence over the collection of the daily subsistence fee.
- f) If any inmate wishes to present reasons in opposition to the assessment, a formal written appeal is available through the inmate grievance process as outlined in the inmate handbook.
- g) Any inmate with uncollected funds owed to Miami-Dade County Corrections and Rehabilitation Department, upon their release, shall pay said funds before any funds are released to them.
- h) Inmates who are held in jail as unsentenced and are acquitted or discharged on all charges shall be reimbursed for the daily charge of subsistence which they paid but not for the one-time processing fee. The inmate must provide a certified copy of the final court disposition from the Clerk of Courts prior to the reimbursement of such funds. The inmate may submit the request for payment at the facility property room upon release. After administrative review and processing, the check will be mailed to the last known address no later than 90 days after receipt of final court disposition

This Implementing Order is hereby submitted to the Board of County Commissioners of Miami-Dade County, Florida.

Approved by the County Attorney as
to form and legal sufficiency _____